

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:11-cv-00457-AKH**

Napartstek v. Atlantic Credit & Finance, Inc.  
Assigned to: Judge Alvin K. Hellerstein  
Cause: 15:1692 Fair Debt Collection Act

Date Filed: 01/21/2011  
Date Terminated: 07/21/2011  
Jury Demand: Plaintiff  
Nature of Suit: 470 Racketeer/Corrupt  
Organization  
Jurisdiction: Federal Question

**Plaintiff**

**Joseph Napartstek**  
*on behalf of himself and the class defined  
herein*

represented by **Shimshon Wexler**  
The Law Offices of Shimshon Wexler, PC  
2710 Broadway, 2nd Floor  
New York, NY 10025  
(212)-760-2400  
Fax: (917)-512-6132  
Email: shimshonwexler@yahoo.com  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Atlantic Credit & Finance, Inc.**

represented by **Hilary Felice Korman**  
Mel S. Harris & Associates(5 Hanover Sq.)  
5 Hanover Square  
New York, NY 10004  
(212) 571-4900  
Fax: (212) 660-1018  
Email: hkorman@melharrislaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
01/21/2011	<u>1</u>	COMPLAINT against Atlantic Credit & Finance, Inc.. (Filing Fee \$ 350.00, Receipt Number 927589) Document filed by Joseph Napartstek.(rdz) (Additional attachment(s) added on 1/24/2011: # <u>1</u> Exhibit A) (ama). (Entered: 01/24/2011)
01/21/2011	<u>1</u>	SUMMONS ISSUED as to Atlantic Credit & Finance, Inc.. (rdz) (Entered: 01/24/2011)
01/21/2011	<u>1</u>	Magistrate Judge James C. Francis IV is so designated. (rdz) (Entered: 01/24/2011)
01/21/2011	<u>1</u>	Case Designated ECF. (rdz) (Entered: 01/24/2011)
02/03/2011	<u>2</u>	AFFIDAVIT OF SERVICE of Summons and Complaint. Atlantic Credit & Finance, Inc. served on 1/24/2011, answer due 2/14/2011. Service was accepted by Steve Pastore. Service was made by Managing Agent. Document filed by Joseph Napartstek. (Wexler, Shimshon) (Entered: 02/03/2011)

02/11/2011	<u>3</u>	NOTICE OF APPEARANCE by Hilary Felice Korman on behalf of Atlantic Credit & Finance, Inc. (Korman, Hilary) (Entered: 02/11/2011)
02/11/2011	<u>4</u>	FILING ERROR – ELECTRONIC FILING FOR NON-ECF DOCUMENT (STIPULATION) – JOINT MOTION for Extension of Time to File Answer re: <u>1</u> Complaint to February 28, 2011. Document filed by Atlantic Credit & Finance, Inc..(Korman, Hilary) Modified on 2/15/2011 (ka). (Entered: 02/11/2011)
02/15/2011	<u>5</u>	***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF DOCUMENT ERROR. Note to Attorney Hilary Felice Korman to E-MAIL Document No. <u>4</u> Stipulation extending time to answer to judgments@nysd.uscourts.gov. This document is not filed via ECF. (ka) (Entered: 02/15/2011)
02/17/2011	<u>5</u>	STIPULATION EXTENDING TIME TO ANSWER: The time for defendant to move or otherwise respond to the complaint is extended to 2/28/11. Atlantic Credit & Finance, Inc. answer due 2/28/2011. (Signed by Judge Alvin K. Hellerstein on 2/17/11) (db) (Entered: 02/17/2011)
02/25/2011	<u>6</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Atlantic Credit & Finance, Inc..(Korman, Hilary) (Entered: 02/25/2011)
02/25/2011	<u>7</u>	ANSWER to Complaint. Document filed by Atlantic Credit & Finance, Inc..(Korman, Hilary) (Entered: 02/25/2011)
05/02/2011	<u>8</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Hilary F. Korman dated 4/28/2011 re: Requesting a conference with the Court regarding dismissal for improper venue, or alternatively, transferring the action to the proper venue, in South Carolina or Virginia. ENDORSEMENT: Defendant may file, by 5/13/2011, any appropriate motion. Plaintiff shall file an opposition by May 27, 2011; reply by June 3, 2011. No requests for adjournments. (Signed by Judge Alvin K. Hellerstein on 4/29/2011) (jpo) (Entered: 05/02/2011)
05/13/2011	<u>9</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION to Dismiss <i>due to Improper Venue or Transfer due to Unjust and Inconvenient Venue</i> . Document filed by Atlantic Credit & Finance, Inc. Responses due by 5/27/2011 Return Date set for 6/15/2011 at 10:00 AM. (Attachments: # <u>1</u> Memorandum of Law in Support of Motion to Dismiss or Transfer Venue)(Korman, Hilary) Modified on 5/16/2011 (db). (Entered: 05/13/2011)
05/13/2011	<u>9</u>	***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Hilary Felice Korman to RE-FILE Document <u>9</u> MOTION to Dismiss <i>due to Improper Venue or Transfer due to Unjust and Inconvenient Venue</i> . ERROR(S): Supporting Documents are filed separately, each receiving their own document #. (db) (Entered: 05/16/2011)
05/16/2011	<u>10</u>	MOTION to Dismiss <i>due to Improper Venue or to Transfer due to Unjust and Inconvenient Venue</i> . Document filed by Atlantic Credit & Finance, Inc.. Responses due by 5/27/2011 Return Date set for 6/15/2011 at 10:00 AM.(Korman, Hilary) (Entered: 05/16/2011)
05/16/2011	<u>11</u>	MEMORANDUM OF LAW in Support re: <u>10</u> MOTION to Dismiss <i>due to Improper Venue or to Transfer due to Unjust and Inconvenient Venue</i> .. Document filed by Atlantic Credit & Finance, Inc.. (Korman, Hilary) (Entered: 05/16/2011)
05/19/2011	<u>12</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Hilary F. Korman dated 5/16/2011 re: Counsel for the Defendant Atlantic Credit & Finance, Inc., writes to request that the initial conference, currently scheduled for 5/27/2011, be adjourned until the motion (Doc. #10) is fully briefed and resolved, to some time after the 6/15/2011 return date. ENDORSEMENT: So Ordered. (Signed by Judge Alvin K. Hellerstein on 5/16/2011) (ab) (Entered: 05/19/2011)
05/27/2011	<u>13</u>	MEMORANDUM OF LAW in Opposition re: <u>10</u> MOTION to Dismiss <i>due to Improper Venue or</i>

*to Transfer due to Unjust and Inconvenient Venue..* Document filed by Joseph Napartstek. (Attachments: # 1 Exhibit Exhibit A)(Wexler, Shimshon) (Entered: 05/27/2011)

05/31/2011	<u>14</u>	NOTICE OF CHANGE OF ADDRESS by Shimshon Wexler on behalf of Joseph Napartstek. New Address: The Law Offices of Shimshon Wexler, PC, 2710 Broadway, 2nd Floor, New York, New York, USA 10025, 212-760-2400. (Wexler, Shimshon) (Entered: 05/31/2011)
06/03/2011	<u>15</u>	REPLY MEMORANDUM OF LAW in Support re: <u>10</u> MOTION to Dismiss <i>due to Improper Venue or to Transfer due to Unjust and Inconvenient Venue..</i> Document filed by Atlantic Credit & Finance, Inc.. (Korman, Hilary) (Entered: 06/03/2011)
07/21/2011	<u>16</u>	ORDER GRANTING MOTION TO TRANSFER denying without prejudice to repleading and renewal as permitted by the transferee judge, and its motion to transfer is granted <u>10</u> Motion to Dismiss. The Clerk shall terminate the motion (Doc No. 10); close the case; and and transfer the file to the USDC for the District of South Carolina. (Signed by Judge Alvin K. Hellerstein on 7/13/11) (cd) (Entered: 07/21/2011)
07/21/2011	<u>1</u>	Transmission to Docket Assistant Clerk. Transmitted re: <u>16</u> Order on Motion to Dismiss, to the Docket Assistant Clerk for case processing. (cd) (Entered: 07/21/2011)
07/21/2011	<u>1</u>	CASE TRANSFERRED OUT ELECTRONICALLY from the U.S.D.C. Southern District of New York to the United States District Court – District of South Carolina on 8/2/11. (cd) (Entered: 08/02/2011)